

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

---

JOSEPH BLOOMFIELD,

Plaintiff,

-v.-

Civil Action No.  
9:08-cv-619 (GLS/RFT)

BEZALEL WURZBERGER, MD; JOSE  
GONZALEZ, MD; SARA NELSON, M.D.;  
DONALD SAWYER, Ph.D., Acting  
Executive Director; SHAKUNTHALA MUDIGONDA,  
Social Worker; JEFFREY NOWICKI, Treatment  
Team Leader; NIKHILL NIHALANI, Psychiatrist;  
ROBERT WOODS, Superintendent,

Defendants.

---

APPEARANCES:

OF COUNSEL:

**FOR THE PLAINTIFF:**

JOSEPH BLOOMFIELD  
Plaintiff, *Pro Se*  
110-51 155<sup>th</sup> Street  
Jamaica, New York 11433

**FOR THE DEFENDANTS:**

HON. ANDREW M. CUOMO  
Attorney General of the  
State of New York  
The Capitol  
Albany, New York 12224

CHARLES J. QUACKENBUSH  
ESQ.

GARY L. SHARPE,  
U.S. DISTRICT JUDGE

**ORDER**

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge Randolph F. Treece, duly filed September 18, 2009. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections<sup>1</sup> having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby ORDERED, that the Report-Recommendation of Magistrate Judge Randolph F. Treece filed September 18, 2009 is ACCEPTED in its entirety for the reasons state therein, and it is further

ORDERED, that Defendants' Motion to Dismiss (Dkt. No. 28) is granted in part and denied in part, and it is further

ORDERED, that Defendants Shakunthala Mudigonda, Jeffrey Nowicki and Nikhill Nihalani are dismissed from this action, and it is further

ORDERED, that the Clerk of the court serve a copy of this order upon the parties in accordance with this court's local rules.

---

<sup>1</sup>The court notes that the plaintiff submitted a letter to the court advising that he does not object to the Report-Recommendation and Order (Dkt. No. 33).

IT IS SO ORDERED.

Dated: October 15, 2009  
Albany, New York

Gary L. Sharpe  
Gary L. Sharpe  
U.S. District Judge